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09/456,689	12/09/1999	MICHAEL S. PASIEKA	PHA23871	6774

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/456,689
Filing Date: December 09, 1999
Appellant(s): PASIEKA, MICHAEL S.

William A. Munck
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/26/2006 appealing from the Office action

mailed 12/09/2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

  6,389,538   Gruse et al.   5-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gruse

et al. (US Patent 6,389,538).

Regarding Claim 1, Gruse teaches and describes

  maintaining, for a given entity controlling access to the information, a contact list

comprising information identifying one or more other entities which have attempted to

communicate with the given entity (Column 45 lines 17 – 56); and

utilizing the contact list in conjunction with a revocation list associated with the given entity to determine which of at least a subset of the one or more other entities are authorized to communicate with the given entity (Column 45 lines 17 – 56).

Regarding Claim 16, Gruse teaches and describes

a processor-based device for controlling access to information, wherein the processor-based device is operative to maintain a contact list comprising information identifying one or more other entities which have attempted to communicate with the processor-based device (Column 45 lines 17 – 56), and

to utilize the contact list in conjunction with a revocation list associated with the given entity to determine which of at least a subset of the one or more other entities are authorized to communicate with the processor-based device (Column 45 lines 17 – 56).

Regarding Claim 17, Gruse teaches and describes

maintaining, for a given entity a controlling access to information, a contact list comprising information identifying one or more other entities which have attempted to communicate with the given entity (Column 45 lines 17 – 56); and

utilizing the contact list in conjunction with a revocation list associated with the given entity to determine which of at least a subset of the one or more other entities are authorized to communicate with the given entity (Column 45 lines 17 – 56).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Gruse

teaches and describes the given entity and at least a subset of the one or more other

entities each comprise a consumer electronics device (Column 45 lines 17 – 56).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Gruse

teaches and describes the maintaining and utilizing steps are implemented in an access

control system associated with the given entity (Column 45 lines 17 – 56).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Gruse

teaches and describes the contact list comprises a local revocation list stored in the

access control system (Column 45 lines 17 – 56).

Claim 13 is rejected as applied above in rejecting claim 1. Furthermore, Gruse

teaches and describes periodically generating a digital signature for at least a portion of

the contact list (Column 16 line 42 – Column 17 line 38 and Column 45 lines 17 – 56).

Claim 15 is rejected as applied above in rejecting claim 1. Furthermore, Gruse

teaches and describes each of at least a subset of the other entities stores a contact list

having entries corresponding to entities which have attempted to communicate with

those other entities (Column 45 lines 17 – 56).

Claim 18 is rejected as applied above in rejecting claim 16. Furthermore, Gruse teaches and describes the contact list comprises a plurality of entities each entry including at least an identifier of a particular one of the other entities and a corresponding revocation flag indicating whether authorization of the particular entity has been revoked (Column 45 lines 17 – 56 and Column 78 lines 41 – 65).

Claim 19 is rejected as applied above in rejecting claim 17. Furthermore, Gruse teaches and describes the contact list comprises a plurality of entries, each entry including at least an identifier of a particular one of the other entities and a corresponding revocation flag indicating whether authorization of the particular entity has been revoked (Column 45 lines 17 – 56 and Column 78 lines 41 – 65).

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Gruse teaches and describes the revocation list comprises a local revocation list stored in the access control system (Column 45 lines 17 – 56).

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Gruse teaches and describes updating the contact list after a modification of the revocation list (Column 45 lines 17 – 56).

Claim 8 is rejected as applied above in rejecting claim 5. Furthermore, Gruse

teaches and describes updating the contact list if a new entity not already included in

the contact list attempts to communicate with the given entity (Column 45 lines 17 – 56).

Claim 12 is rejected as applied above in rejecting claim 5. Furthermore, Gruse

teaches and describes the contact list is configured such that the revocation flag of a

particular entry may not be cleared once that flag has been set been set as long as that

entry remains in the contact list (Column 45 lines 17 – 56 and Column 78 lines 41 – 65).

Claim 20 is rejected as applied above in rejecting claim 19. Furthermore, Gruse

teaches and describes the programs when executed implement the further step of

updating the contact list after a modification of the revocation list (Column 45 lines 17 –

56).

Claim 14 is rejected as applied above in rejecting claim 13. Furthermore, Gruse

teaches and describes updating the digital signature each time the contact list is

updated (Column 16 line 42 – Column 17 line 38 and Column 45 lines 17 – 56).

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Gruse

teaches and describes updating the contact list after a modification of the revocation list

further includes the steps of:

identifying all of the entities in the contact list that do not have their

corresponding revocation flag set (Column 45 lines 17 – 56); and

determining, for each of the entities identified as being on the contact list but not

having a set revocation flag, whether that entity is on the modified local revocation list,

setting its revocation flag in the contact list (Column 45 lines 17 – 56).

Claim 9 is rejected as applied above in rejecting claim 8. Furthermore, Gruse

teaches and describes updating the contact list if a new entity not already included in

the contact list if a new entity not already included in the contact list attempts to

communicate with the given entity further includes the steps of:

storing in the contact list an entity identifier for the new entity if there is sufficient

space available in the contact list (Column 45 lines 17 – 56 and Column 78 lines 41 –

65); and

determining if the new entity is on the revocation list; and if it is, setting the

corresponding revocation flag the new entity in the contact list (Column 45 lines 17 – 56

and Column 78 lines 41 – 65).

Claim 10 is rejected as applied above in rejecting claim 9. Furthermore, Gruse

teaches and describes selecting a particular entry of the contact list for removal from the

contact list if there is not sufficient space available in the contact list for the new entity

(Column 45 lines 17 – 56 and Column 78 lines 41 – 65).

(10) Response to Argument

Referring to the previous Office action, Examiner had cited relevant portions of the references as a means to illustrate the system as taught by the prior art. As a means of providing further clarification as to what is taught by the references used in the previous office action, Examiner has expanded the teachings for comprehensibility while maintaining the same grounds of rejection of the claims.

(10 a) Regarding Claim 1, Appellant argues that Gruse et al. does not disclose the following teachings "a contact list, or utilizing a contact list in conjunction with a revocation list associated with the given entity to determine which of at least a subset of the one or more other entities are authorized to communicate with the given entity", see Appeal Brief page 11.

In response: This argument is not persuasive because:

With respect to the claim limitation "a contact list", Appellant's disclosure on page 4 lines 1 – 3, defines a contact list as "that includes information identifying one or more other entities which have attempted to communicate with the given entity".

Gruse discloses Clearing house (105) is responsible for the rights management functions of secure digital content electronic distribution system (100) and Clearing house goes through a verification process to validate the authenticity of the entity (End-user device, a subset of the one or more entities that are authorized to communicate with the given entity, i.e., the Clearing house) and the rights that the entity has to the

content (see Gruse Column 44 lines 22 – 40). The Clearing house maintains a list of

digital certificates (Contact list) that are issued to a valid entity and furthermore, the

Clearing house maintains a digital certificate revocation list, wherein the contact list

along with the revocation list is used to determine whether an End-user is authorized to

communicate with the Clearing house (see Gruse Column 13 line 45 – Column 14 line

22 and Column 45 lines 3 – 38).

Gruse also discloses that the Clearing house uses the certificate and the digital

signature to verify that the request originated from an authorized entity. The request

also includes parameters that define the level of permission that they have and the

Clearing house validates the entities to access (receive information) for which those

entities are permitted to have (see Gruse Column 13 line 45 – Column 14 line 22 and

Column 49 lines 9 – 20).

(10 b) Regarding Claims 16 and 17, Appellant argues that the Examiner did not

give any patentable weight to "a processor-based device" and "a machine-readable

storage medium containing one or more software programs for use in controlling access

to information", see Appeal Brief pages 11 – 12.

Examiner directs the Appellant to Gruse Column 52 lines 23 – 33 for the

disclosure of "a processor-based device" and "a machine-readable storage medium

containing one or more software programs for use in controlling access to information".

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

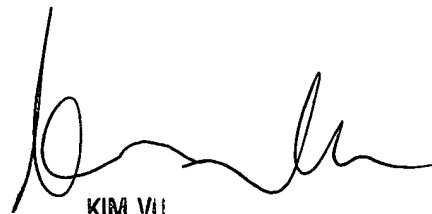For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Pramila Parthasarathy

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